

1 Scott H. Jacobs (SBN 81980)
 2 Christopher O. Rivas (SBN 238765)
 3 REED SMITH LLP
 4 355 S. Grand Avenue, Suite 2900
 5 Los Angeles, CA 90071
 Telephone: 213.457.8000
 Facsimile: 213.457.8080

6 Attorneys for Defendants
 7 WMC Mortgage, LLC and
 GE Consumer Finance, Inc.

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

10 PATRICIA C. BARBERA,

11 Plaintiff

12 vs.

13 WMC MORTGAGE CORPORATION, a
 14 California corporation; aka WMC Direct, a
 15 California Business Entity; GE Consumer
 16 Finance, a unit of General Electric
 17 Company; Select Portfolio Servicing Corp,
 18 a Utah Corporation; Fairbanks Holding
 19 Corporation, a Delaware Corporation; and
 Land Title Company of Marin, a
 California Business Entity;
 Does 1 thru 100, inclusive.

20 Defendants.

21 CASE NO.: 3:08-CV-2677-PJH

22
 23 **DECLARATION OF
 CHRISTOPHER O. RIVAS IN
 SUPPORT OF ADMINISTRATIVE
 MOTION OF DEFENDANTS WMC
 MORTGAGE, LLC, GE CONSUMER
 FINANCE, INC., AND CALIFORNIA
 LAND TITLE OF MARIN TO
 EXTEND TIME TO RESPOND TO
 PLAINTIFF'S COMPLAINT TO
 JUNE 16, 2008**

24 **DECLARATION OF CHRISTOPHER O. RIVAS**

25 I, Christopher O. Rivas, declare as follows:

26 1. I am an associate at Reed Smith LLP, counsel of record for defendants
 27 WMC Mortgage, LLC ("WMC Mortgage") (successor in interest to "WMC Mortgage
 28 Corporation") and GE Consumer Finance ("GECF") in this matter. I submit this

1 declaration in support of Administrative Motion Of Defendants WMC Mortgage,
2 LLC, GE Consumer Finance, Inc., And California Land Title Of Marin To Extend
3 Time To Respond To Plaintiff's Complaint To June 19, 2008. I have personal
4 knowledge of the facts declared below and could testify truthfully thereto if so
5 required.

6 2. Defendants require additional time acquire and analyze all of the
7 voluminous pleadings and filings in the prior actions with sufficient time to draft
8 Motions to Dismiss. Defendants will be prejudiced absent this additional time.

9 3. Accordingly, Defendants sought to avoid the expense and time required
10 to file this Administrative Motion by requesting that Plaintiff sign a stipulation
11 extending Defendants' time to respond to the Complaint from June 4, 2008, to June
12 19, 2008. *See Exhibit A*, May 30, 2008, letters to Plaintiff requesting extensions.

13 4. On Friday, May 30, 2008, Plaintiff verbally informed me that she would
14 sign such a stipulation for the benefit of Defendants.

15 5. On Sunday, June 1, 2008, Plaintiff requested, via fax, that WMC
16 Mortgage sign a Notice of Acknowledgement of Receipt for the state action (the
17 "Acknowledgement"). *See Exhibit B*, fax letter from Ms. Barbera attaching
18 Acknowledgement.

19 6. In a telephone conversation on June 2, 2008, I informed Plaintiff that she
20 need not file anything further in the state action, since this case was removed to the
21 federal court and the state court no longer had jurisdiction over the matter. On this
22 basis, I informed Plaintiff that I would not sign the Acknowledgement. In response,
23 Plaintiff wrongly insisted that the Acknowledgment was mandatory and threatened to
24 revoke her verbal agreement to sign a stipulation in the Northern District of California
25 granting Defendants additional time to respond to her Complaint.

26 7. Based on Plaintiff's threats, and in order to save my client the expense of
27 bringing an Administrative Motion to Extend, I signed the Acknowledgment and
28 faxed it back to Plaintiff. *See Exhibit C*, signed acknowledgment sent to Ms. Barbera

1 via email facsimile. Accordingly, Plaintiff agreed, in a second telephone conversation
2 on June 2, 2008, that based on this concession, she would once again stipulate to
3 extend Defendants' response date.

4 8. On the afternoon of June 2, 2008, I emailed Plaintiff, for her signature, a
5 draft stipulation, signed by myself and by Mr. Kabanuck, counsel for defendant
6 California Land Title Of Marin. *See Exhibit D*, email to Plaintiff attaching draft
7 stipulation.

8 9. However, on the morning of Tuesday June 3, 2008, Plaintiff informed
9 me, via email and elaborating via telephone, that she would not sign the stipulation,
10 and instead vaguely threatened counsel for the Defendants and accused counsel of
11 acting fraudulently in removing the case. *See Exhibit E*, email from Ms. Barbera.

12 10. Based on Plaintiff's last-minute revocation, and based on Defendants'
13 reliance on Plaintiff's promise in the prior week to grant an extension of time to
14 respond, Defendants have no choice but to move this Court for an extension of time to
15 respond to Plaintiff's Complaint, from June 4, 2008, to June 19, 2008.

16
17 I declare under penalty of perjury under the laws of the State of California and
18 the laws of the United States that the foregoing is true and correct.

19
20 Executed this 3rd day of June, 2008 at Los Angeles, California.

21
22 /s/ Christopher O. Rivas
23 Christopher O. Rivas
24
25
26
27
28

EXHIBIT A

DANIEL A. GAMER
ATTORNEY AT LAW
—
ASSOCIATE COUNSEL
GLENN D. KABANUCK

55 PROFESSIONAL CENTER PARKWAY, SUITE H
SAN RAFAEL, CALIFORNIA 94903-2729
(415) 472-6655
FACSIMILE: (415) 472-3940

May 30, 2008

Via Fax & Regular Mail – (415) 382-0756

Patricia C. Barbera
24 Caribe Isle
Novato, CA 94949

**Re: Patricia C. Barbera v. WMC Mortgage Corporation, et al.
U.S. District Court, Northern District of California Case No. 3:08-cv-2677
(formerly Marin County Superior Court Case No. CV 081763)**

Dear Ms. Barbera:

As you know, I represent California Land Title of Marin in the referenced case which has been removed from the Marin County Superior Court to the U.S. District Court for the Northern District of California. On behalf of California Land Title of Marin, I request a stipulation for an extension of time to June 19, 2008 for my client to file a response in the federal court.

Please advise immediately as to whether you will stipulate to the extension. If you do not stipulate to the extension, an Ex Parte Application for the extension will be electronically filed with the court on Monday, June 2, 2008.

Very truly yours,



GLENN D. KABANUCK

GDK:dtm
Cc: Client

ReedSmith

Christopher O. Rivas
Direct Phone: +1 213 457 8019
Email: crivas@reedsmit.com

Reed Smith LLP
355 South Grand Avenue
Suite 2900
Los Angeles, CA 90071-1514
+1 213 457 8000
Fax +1 213 457 8080
reedsmit.com

May 30, 2008

Via UPS and Facsimile at (415) 382-0756

Patricia C. Barbera
24 Caribe Isle
Novato, CA 94949

Re: Patricia C. Barbera vs. WMC Mortgage Corp.

Dear Ms. Barbera:

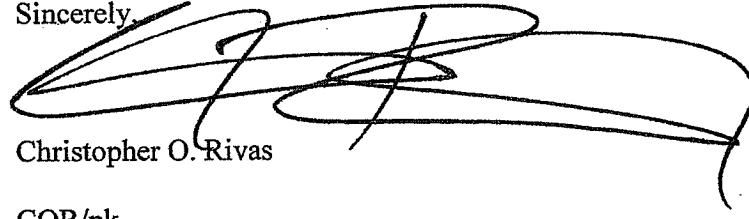
As you may already be aware, Reed Smith represents WMC Mortgage, LLC ("WMC Mortgage") (successor in interest to "WMC Mortgage Corporation") and GE Consumer Finance, Inc. ("GECF") in the above-referenced matter. On May 28, 2008, we caused this matter to be removed from the Superior Court of Marin County to the Northern District of the United States Federal Court.

Our response to your complaint is due June 4, 2008. I am writing you to ask if you will grant us an extension of time to June 19, 2008, to respond to the complaint, in order to give us additional time to gather and analyze the pleadings filed by you against our clients WMC and GECF in earlier actions. If you are willing to grant the extension, I will prepare a stipulation for your signature and will file such stipulation with the Northern District Court.

If you are not willing to grant the extension, we intend to file an ex parte motion with the Northern District Court on Monday, June 2, 2008, requesting such an extension.

I would appreciate a response from you by the end of today regarding the requested extension. Please contact me at (213) 457-8019 or crivas@reedsmit.com.

Sincerely,



Christopher O. Rivas

COR/pk

cc: Robin Prema Wright, Esq.
Dan Gamer, Esq.

Document2

***** -COMM. JOURNAL- ***** DATE MAY-30-2008 ***** TIME 01:48 *****

MODE = MEMORY TRANSMISSION

START=MAY-30 01:47 END=MAY-30 01:48

FILE NO.=593

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	8	914153820756	002/002	00:00:27

-REED SMITH

213 457 8080- 9999999999

ReedSmith

FAX TRANSMITTAL

Reed Smith LLP
355 South Grand Avenue
Suite 2900
Los Angeles, CA 90071-1514
+1 213 457 8000
Fax +1 213 457 8080
roogsmith.com

From: Christopher O. Rivas
Direct Phone: +1 213 457 8019
Email: crivas@readsmith.com

Total Number Of Pages Including Cover Page ?

May 30, 2008

Fax to:

Fax to:	Company	Fax Number	Phone Number
Name		(415) 382-0756	(415) 382-9617
Patricia C. Barbera		<input type="checkbox"/> Delivery <input type="checkbox"/> Messenger <input checked="" type="checkbox"/> None	

Original will follow via: Regular Mail Overnight Delivery

Notes:

If you do not receive all of the pages, please call Patty A. Keen at +1 213 457 6451.

please Transmit Before 9 10 11 a.m. 12 1 2 3 4 5 6 7 8 p.m.

Client Number: 0047NU Finish Time: 11:00 a.m. / p.m.

Page Number: _____ Date: _____ a.m./p.m.
Transcription Time: _____
Operator: _____

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000314.15\$12245.1

***** -COMM. JOURNAL- ***** DATE MAY-30-2008 ***** TIME 01:50 *****

MODE = MEMORY TRANSMISSION

START=MAY-30 01:48 END=MAY-30 01:50

FILE NO.=594

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	2	919494779200	002/002	00:00:21
002	OK	2	914154723940	002/002	00:00:53

-REED SMITH

***** - 213 457 8080- *****

ReedSmith

FAX TRANSMITTAL

Reed Smith LLP
 355 South Grand Avenue
 Suite 2900
 Los Angeles, CA 90071-1514
 +1 213 457 8000
 Fax +1 213 457 8080
 reedsmith.com

From: Christopher O. Rivas
 Direct Phone: +1 213 457 8019
 Email: [crivas@reedsmith.com](mailto:crvias@reedsmith.com)

Total Number Of Pages Including Cover Page 2

May 30, 2008

Fax to:

Name	Company	Fax Number	Phone Number
Robin Prema Wright, Esq.	Wright, Finaly & Zak, LLP	(949) 477-9200	(949) 477-5050
Dan Gamer, Esq.		(415) 472-3940	(415) 472-6655

Original will follow via: Regular Mail Overnight Delivery Messenger None

Notes:

If you do not receive all of the pages, please call Patty A. Keen at +1 213 457 6451.

Please Transmit Before 9 10 11 a.m. 12 1 2 3 4 5 6 7 8 p.m.

Call Number: 004780 Clear Number: Moffer Number: _____
 Transmission Time: a.m./p.m. Finish Time: a.m./p.m.
 Operator: _____

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DOCSLA-15542244.1

**Shipment Receipt**

(Keep this for your records.)

Transaction Date 30 May 2008**Address Information**

Ship To:
 Patricia C. Barbera
 Patricia C. Barbera
 415-382-9617
 24 Caribe Isle
 NOVATO CA 94949-5342
 Residential

Shipper:
 Reed Smith LLP - Los Angeles
 Raymond Y. Kim
 2134576451
 355 South Grand Ave Suite 2900
 Los Angeles CA 90071

Shipment Information

Service: UPS Next Day Air
 *Guaranteed By: 12:00 PM, Sat. 31 May
 2008

Quantum View NotifySM 1: pkeen@reedsmith.com

Ship; Delivery; Exception

Quantum View NotifySM

Saturday Delivery:

Total: No Charge
 12.50

Fuel Surcharge: **8.38

Shipping: **21.00

Package Information**Package 1 of 1**

Tracking Number: 1ZWA32574495260681
 Package Type: UPS Letter
 Actual Weight: Letter
 Billable Weight: Letter
Declared Value Amount: 1.00 USD No Charge
 Client / Matter / Attorney Number: 999995/20001/007135
 Attorney Name / IMG: Raymond Y. Kim

Billing Information

Bill Shipping Charges to: Shipper's Account WA3257

Total: All Shipping Charges in USD **41.88
Negotiated Total: **29.70

Note: Your invoice may vary from the displayed reference rates.

* For delivery and guarantee information, see the [UPS Service Guide](#). To speak to a customer service representative, call 1-800-PICK-UPS for domestic services and 1-800-782-7892 for international services.

Keen, Patty A.

From: UPS Quantum View [auto-notify@ups.com]
Sent: Saturday, May 31, 2008 12:39 PM
To: Keen, Patty A.
Subject: UPS Delivery Notification, Tracking Number 1ZWA32574495260681



***Do not reply to this e-mail. UPS and Reed Smith LLP - Los Angeles will not receive your reply.

At the request of Reed Smith LLP - Los Angeles, this notice is to confirm that the following shipment has been delivered.

Important Delivery Information

Delivery Date / Time: 31-May-2008 / 11:55 AM
Driver Release Location: PORCH

Shipment Detail

Ship To:
Patricia C. Barbera
Patricia C. Barbera
24 Caribe Isle
NOVATO
CA
949495342
US

UPS Service: NEXT DAY AIR
Shipment Type: Letter

Tracking Number: 1ZWA32574495260681
Reference Number 1: 999995/20001/007135
Reference Number 2: Raymond Y. Kim

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Track Shipments

Track by Reference
Track by E-mail
Signature Tracking
Inbound Tracking Numbers
Wireless Tracking
Track with Quantum View
Access Flex Global View
Integrate Tracking Tools
Void a Shipment
Help

Track Packages & Freight Quantum View Flex Global View

Tracking Summary Printer-Friendly

Tracking Number: 1Z WA3 257 44 9526 068 1
[View package progress](#)

Type: Package
Status: Delivered
Delivered On: 05/31/2008
Delivered To: NOVATO, CA, US
Service: NEXT DAY AIR

Tracking results provided by UPS 06/02/2008 11:01 A.M. ET

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EXHIBIT B

Jun 01 08 01:10p

p.1

Patricia C. Barbera
24 Caribe Isle
Novato, Ca 94949
Phone: (415) 382-9617
Fax(415) 382-0756
E-mail: wobirds@comcast.net

June 2, 2008

Christopher O. Rivas
ReedSmith
355 South Grand Avenue, Suite 2900
Los Angeles, CA 90071-1611
Phone: (213) 457-8019
Fax: (213) 457-8080

RE: BARBERA vs. WMC MORTGAGE CORP. CV 081763.

Dear Mr. Rivas:

As you know the ACKNOWLEDGMENT OF RECEIPT form is mandatory.

I have included the executed form for your convenience. You will find the verification in my letter of May 30, 2008.

I would appreciate a prompt reply by fax and mail.

Sincerely,



Patricia C. Barbera

Jun 01 08 01:10p

p.2

POS-015

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): PATRICIA C. BARBERA		FOR COURT USE ONLY
24 CARIBE ISLE NOVATO, CA 94949 TELEPHONE NO.: (415) 382-9617 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FAX NO. (Optional): (415) 382-0756
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MARIN STREET ADDRESS: 3501 Civic Center Drive, Room 113 MAILING ADDRESS: P.O. BOX 4988 CITY AND ZIP CODE: San Rafael CA 94939 BRANCH NAME:		
PLAINTIFF/PETITIONER:	PATRICIA C. BARBERA	
DEFENDANT/RESPONDENT:	WMC MORTGAGE CORPORATION	
NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL		CASE NUMBER: CV 081763

TO (insert name of party being served): **WMC MORTGAGE CORPORATION****NOTICE**

The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons or on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of the summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing: April 25, 2008

SHERRY MENDENHALL

(TYPE OR PRINT NAME)

(SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

**ACKNOWLEDGMENT OF RECEIPT**

This acknowledges receipt of (to be completed by sender before mailing):

1. A copy of the summons and of the complaint.
2. Other (specify):

(To be completed by recipient):

Date this form is signed:

(TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,
ON WHOSE BEHALF THIS FORM IS SIGNED)(SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF
ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)Form Adopted for Mandatory Use
Judicial Council of California
POS-015 [Rev. January 1, 2005]**NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL**

Page 1 of 1
Code of Civil Procedure,
§§ 415.30, 417.10
www.courtinfo.ca.gov
American LegalNet, Inc.
www.USCourtForms.com

EXHIBIT C

Jun 01 08 01:10p

p.2

POS-015

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): PATRICIA C. BARBERA 24 CARIBE ISLE NOVATO, CA 94940 TELEPHONE NO. (415) 382-9617 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MARIN STREET ADDRESS: 3501 Civic Center Drive, Room 113 MAILING ADDRESS: P.O. BOX 4988 CITY AND ZIP CODE: San Rafael CA 94939 BRANCH NAME:		
PLAINTIFF/PETITIONER: PATRICIA C. BARBERA DEFENDANT/RESPONDENT: WMC MORTGAGE CORPORATION		
NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL		CASE NUMBER: CV 081763

TO (insert name of party being served): **WMC MORTGAGE CORPORATION****NOTICE**

The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing: April 25, 2008

SHERRY MENDENHALL

(TYPE OR PRINT NAME)

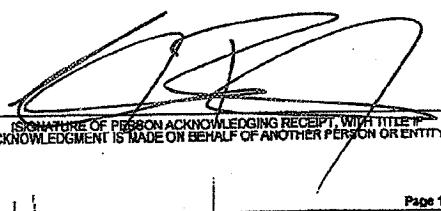
(SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

**ACKNOWLEDGMENT OF RECEIPT**

This acknowledges receipt of (to be completed by sender before mailing):

1. A copy of the summons and of the complaint.
2. Other (specify):

(To be completed by recipient):

Date this form is signed: June 2, 2008Read Smith LLP, attorney for WMC Mortgage(TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,
ON WHOSE BEHALF THIS FORM IS SIGNED)LLC
SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF
ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITYPage 1 of 1Code of Civil Procedure,
§§ 415.30, 417.10
www.courtinfo.ca.govAmerican LegalNet, Inc.
www.USCourtForms.comForm Adopted for Mandatory Use
Judicial Council of California
POS-015 (Rev. January 1, 2005)**NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL**

Escalante, Arthur L.

From: GenifaxMessageServer [genifaxmessageserver@reedsmit.com]
Sent: Monday, June 02, 2008 12:52 PM
To: Escalante, Arthur L.
Subject: Message Succeeded: 415.382.0756 (Patricia C. Barbera) on 6/2/2008 at 3:52:17 PM ET

The message you sent to Patricia C. Barbera at 415.382.0756, was delivered successfully on 6/2/2008 at 3:52:17 PM ET

JobID: 271753

EXHIBIT D

Rivas, Christopher O.

From: Rivas, Christopher O.
Sent: Monday, June 02, 2008 1:57 PM
To: 'wobirds@comcast.net'
Cc: Jacobs, Scott H.; Kim, Raymond Y.
Subject: Barbera v WMC Mortgage, et al.
Attachments: hppscan44.pdf

Ms. Barbera,

Pursuant to our telephone conversation, please sign and scan/fax back to me the attached stipulation for my filing.

Best regards,
Christopher Rivas
213.457.8019
crivas@reedsmith.com

Reed Smith LLP
355 South Grand Avenue
Suite 2900
Los Angeles, CA 90071
213.457.8000
Fax 213.457.8080

1 Scott H. Jacobs (SBN 81980)
 2 Christopher O. Rivas (SBN 238765)
 2 REED SMITH LLP
 3 355 S. Grand Avenue, Suite 2900
 3 Los Angeles, CA 90071
 4 Telephone: 213.457.8000
 4 Facsimile: 213.457.8080
 5

6 Attorneys for Defendants
 6 WMC Mortgage, LLC and
 7 GE Consumer Finance, Inc.

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

10
 11 PATRICIA C. BARBERA,

No.: 3:08-cv-02677-PJH

12 Plaintiff

13
STIPULATION TO EXTEND TIME
FOR DEFENDANTS WMC
MORTGAGE, LLC, GE CONSUMER
FINANCE, INC., AND
CALIFORNIA LAND TITLE OF
MARIN TO RESPOND TO
COMPLAINT

14
 15 vs.
 16 WMC MORTGAGE CORPORATION, a
 17 California corporation; aka WMC Direct, a
 18 California Business Entity; GE Consumer
 19 Finance, a unit of General Electric
 20 Company; Select Portfolio Servicing
 21 Corp., a Utah Corporation; Fairbanks
 22 Holding Corporation, a Delaware
 23 Corporation; and Land Title Company of
 24 Marin, a California Business Entity;
 25 Does 1 thru 100, inclusive.

[N.D. Cal. Local Rule 6-1(a)]

26 Defendants.

27
 28

1 Pursuant to Local Rule 6-1(a), Plaintiff Patricia C. Barbera ("Plaintiff")
2 and Defendants WMC Mortgage, LLC, GE Consumer Finance, Inc., and California
3 Land Title of Marin, erroneously sued as Land Title Company of Marin (collectively,
4 "Defendants"), by and through their respective attorneys of record, hereby stipulate
5 that the time for Defendants to respond to Plaintiff's Complaint is extended by 15
6 days, from June 4, 2008 to June 19, 2008. Accordingly, Defendants shall file a
7 response to Plaintiff's Complaint on or before June 19, 2008. Defendants reserve any
8 and all objections and defenses and do not waive any of their rights by entering into
9 this stipulation.

10
11 DATED: June , 2008.

12 By _____
13
14
15 PATRICIA C. BARBERA

16
17 DATED: June , 2008.

18 LAW OFFICES OF DANIEL A. GAMER
19
20

21 By 
22 Glenn D. Kabanuck
23 Attorneys for Defendant
24 California Land Title of Marin, erroneously
25 sued as Land Title Company of Marin

26
27 DATED: June 2, 2008.

28 REED SMITH LLP

29
30 By /s/ Christopher O. Rivas
31 Christopher O. Rivas
32 Attorneys for Defendants
33 WMC Mortgage, LLC, and GE Consumer
34 Finance, Inc.

EXHIBIT E

Rivas, Christopher O.

From: wobirds@comcast.net
Sent: Tuesday, June 03, 2008 10:04 AM
To: Rivas, Christopher O.
Subject: Re: Barbera v WMC Mortgage, et al.
Attachments: Barbera v WMC Mortgage, et al.

Patricia C. Barbera

24 Caribe Isle

Novato, Ca 94949

Phone: (415) 382-9617

Fax(415) 382-0756

E-mail: wobirds@comcast.net

June 3, 2008

Christopher O. Rivas

ReedSmith

355 South Grand Avenue, Suite 2900

Los Angeles, CA 90071-1611

Phone: (213) 457-8019

Fax: (213) 457-8080

RE: BARBERA vs. WMC MORTGAGE CORP. CV 081763.

Dear Mr. Rivas,

I received the unfiled stamp version NOTICE OF REMOVAL TO A FEDERAL COURT on June 2, 2008. At that time I had every reason to believe that it was legitimate. I believed that in your late representation, and in your rush to file it in a timely manner, that you failed to research fully.

The records disclose that WMC MORTGAGE CORP. and SELECT PORTFOLIO SERVICING were **IN DEFAULT**, as neither had answered their summons.

However, in light of your improper reaction to my request for the Acknowledgment of Receipt form, I

believe that you now know about your **FRAUDULENT REMOVAL**.

The results will undoubtedly be:

- 1). Two judges who are irate for the deception,
- 2). Who will probably sanction you with liberties,
- 3). May report you to the BAR.
- 4). Unnecessary costs for your client.

A prudent and honorable attorney would **VOLUNTARILY DISMISS** the case.

Please advise.

Sincerely,

PATRICIA C. BARBERA

----- Original message -----

From: "Rivas, Christopher O." <CRivas@ReedSmith.com>
Ms. Barbera,

Pursuant to our telephone conversation, please sign and scan/fax back to me the attached stipulation for my filing.

Best regards,
Christopher Rivas
213.457.8019
crivas@reedsmit.com

Reed Smith LLP
355 South Grand Avenue
Suite 2900
Los Angeles, CA 90071
213.457.8000
Fax 213.457.8080

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 5
 6 Attorneys for Defendants
 6 WMC Mortgage, LLC and
 7 GE Consumer Finance, Inc.

8
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

10
 11 PATRICIA C. BARBERA,

12 Plaintiff

13 vs.

14
 15 WMC MORTGAGE CORPORATION, a
 16 California corporation; aka WMC Direct, a
 17 California Business Entity; GE Consumer
 18 Finance, a unit of General Electric
 19 Company; Select Portfolio Servicing
 20 Corp., a Utah Corporation; Fairbanks
 Holding Corporation, a Delaware
 Corporation; and Land Title Company of
 Marin, a California Business Entity;
 Does 1 thru 100, inclusive.

21 Defendants.

22 No.: 3:08-cv-02677-PJH

23
 24 **STIPULATION TO EXTEND TIME**
 25 **FOR DEFENDANTS WMC**
 26 **MORTGAGE, LLC, GE CONSUMER**
 27 **FINANCE, INC., AND**
 28 **CALIFORNIA LAND TITLE OF**
MARIN TO RESPOND TO
COMPLAINT

29 [N.D. Cal. Local Rule 6-1(a)]

1 Pursuant to Local Rule 6-1(a), Plaintiff Patricia C. Barbera ("Plaintiff")
 2 and Defendants WMC Mortgage, LLC, GE Consumer Finance, Inc., and California
 3 Land Title of Marin, erroneously sued as Land Title Company of Marin (collectively,
 4 "Defendants"), by and through their respective attorneys of record, hereby stipulate
 5 that the time for Defendants to respond to Plaintiff's Complaint is extended by 15
 6 days, from June 4, 2008 to June 19, 2008. Accordingly, Defendants shall file a
 7 response to Plaintiff's Complaint on or before June 19, 2008. Defendants reserve any
 8 and all objections and defenses and do not waive any of their rights by entering into
 9 this stipulation.

10
 11 DATED: June , 2008.

12 By _____
 13
 14
 15 PATRICIA C. BARBERA

16
 17 DATED: June , 2008.

18 LAW OFFICES OF DANIEL A. GAMER
 19
 20

21 By 
 22 Glenn D. Kabanuck
 23 Attorneys for Defendant
 24 California Land Title of Marin, erroneously
 25 sued as Land Title Company of Marin

26
 27 DATED: June 2, 2008.

28 REED SMITH LLP

29
 30 By /s/ Christopher O. Rivas
 31 Christopher O. Rivas
 32 Attorneys for Defendants
 33 WMC Mortgage, LLC, and GE Consumer
 34 Finance, Inc.

CERTIFICATE OF SERVICE

I, Arthur Escalante, hereby certify that on this 3rd day of June 2008, a true and correct copy of the foregoing ***Declaration of Christopher O. Rivas in Support of Administrative Motion of Defendants WMC Mortgage, LLC, GE Consumer Finance, Inc., and California Land Title of Marin to Extend Time to Respond to Plaintiff's Complaint to June 19, 2008*** was served upon all counsel of record by UPS Overnight Mail, postage prepaid at the following addresses:

Patricia C. Barbera
24 Caribe Isle
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REED SMITH LLP

By: 

Arthur Escalante